

E-FILED on 4/5/06

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FAMILY MORTGAGE CORPORATION
NO. 15,

Plaintiff,

v.

PERRY L. GREINER,

Defendant.

No. C-03-01380 RMW

ORDER ON *EX PARTE* APPLICATION TO
EXTEND BRIEFING SCHEDULE

[Re Docket No. 119]

Defendant Perry Greiner again applies *ex parte* for more time to respond to plaintiff Family Mortgage Corporation No. 15's motion to enter and enforce judgment.

The court essentially granted Greiner's previous request—despite certain of plaintiff's objections—to continue the hearing date on plaintiff's motion to April 21, 2006. The court extended the briefing schedule as defendant requested. The order specifically gave dates on which the opposition and reply would be due—dates papers would have been due under the Civil Local Rules' default briefing schedule had the hearing been on defendant's requested date of April 21. Although the court was not available on April 21 and continued the hearing to the following week, it did not extend the briefing schedule because it could benefit from extra time to consider the filings associated with plaintiff's motion.

The court orders as follows:

1. Defendant shall file his opposition to plaintiff's motion to enter and enforce judgment no later than **April 7, 2006**.
2. Plaintiff shall file its reply no later than **April 21, 2006**.
3. Plaintiff's motion to enter and enforce judgment will be heard on **May 12, 2006** at 9 a.m.

/s/ Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

¹ If the parties are unavailable on May 12, the court will consider changing the hearing date only by written stipulation showing good cause or pursuant to a motion filed for an order shortening time. However, the court will not extend the briefing schedule further even if the hearing date is changed.

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15 **Dated:** 4/5/06

16 /s/ JH
17 **Chambers of Judge Whyte**